

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**ROBYN HUSKEY, Mother on Behalf of
Abbygale Dawn Huskey and JANICE
MARIE, Grandmother**

PLAINTIFFS

v.

No. 5:14-cv-369-DPM

**THERESA FRENCH, Judge, Drew County Arkansas
Circuit Court Juvenile Division; BILL HUSKEY,
Paternal Grandfather; JEREMY LOUIS HUSKEY,
Father of Minor; KATHY JOHNSTON; JERE
JOHNSTON; MARGIE SAVAGE; CHARLES
SYNDNEY GIBSON, Attorney for Kathy Johnston
and Billy Johnston; CHUCK GIBSON, Attorney for
Kathy Johnston and Billy Johnston; DENISE MCMILLAN,
Attorney for Robyn Huskey and Janice Marie;
SANDRA BRADSHAW; BARBARA WRIGHT-
LANGHAMMER; BYNUM GIBSON, Judge, Drew County
Arkansas Circuit Court; DON GLOVER, Judge, Drew
County Arkansas Circuit Court; and KENNETH
JOHNSON, Judge, Drew County Arkansas
Circuit Court**

DEFENDANTS

ORDER

1. The mother and grandmother of a child entangled in a bitter custody dispute have filed a voluminous complaint against many people, including several Arkansas judges involved in some way in the case. The mother and grandmother ask this Court to change custody of the child, remove the presiding Arkansas circuit court judge, and transfer the case to a different

circuit court. The custody issue seems to be on appeal, subject to the circuit court's continuing jurisdiction.

2. To the extent the mother and grandmother, having lost in state court, seek to take what is essentially an appeal of the state trial court's custody and recusal decisions to this federal court, no jurisdiction exists here. *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 291-92 (2005). To the extent they're asking this federal court to order that things be done (recusal and transfer) and undone (custody) in a pending state proceeding, the Anti-Injunction Act prevents such an order. 28 U.S.C. § 2283; *Vendo Co. v. Lektro Vend Corp.*, 433 U.S. 623, 630 (1977). Again, no jurisdiction. Even if this Court has jurisdiction, prudence, principles of federalism, and Arkansas's interest in child custody issues dictate that this Court abstain from interfering with ongoing state proceedings where the parties are present and fully able to litigate all issues. *Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1, 11 (1987).

3. The Court sees no way to redact all the confidential information in the complaint, its attachments, the three compact discs, or the recent motions. FED. R. CIV. P. 5.2(d). They'll all therefore remain sealed.

* * *

Huskey's motions — *No. 1, 3, 8, 9, & 10* — are denied as moot. Huskey's complaint is dismissed without prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

28 October 2014